

Message Text

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ACTION IO-10

INFO OCT-01 AF-04 ARA-06 EA-06 EUR-12 NEA-06 RSC-01 ISO-00

CU-02 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /089 W

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FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 6933

INFO AMEMBASSY BONN

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO

USMISSION BERLIN

C O N F I D E N T I A L GENEVA 6933

E.O. 11652: GDS

TAGS: PFOR, CSCE, XG

SUBJECT: CSCE: LANGUAGE ON FOUR-POWER RIGHTS

1. FRENCH DEL HERE INFORMS US THAT GENSCHER AND SAUVAGNARGUES DISCUSSED SOVIET PROPOSAL FOR QUADRIpartite DISCLAIMER AND AGREED ON THE OUTLINES OF A RESPONSE TO IT. QUAI HAS NOW DEVELOPED SPECIFIC LANGUAGE (GIVEN BELOW), AND FRENCH HAVE PASSED IT TO FRG, US AND UK DELS HERE. TEXT IS BASED ON NOVEMBER 1972 QUADRIpartite DECLARATION AND READS AS FOLLOWS:

"THE PARTICIPATING STATES NOTE (CONSTATENT) THAT THE PRESENT (TITLE OF DOCUMENT) CANNOT AND WILL NOT AFFECT THE RIGHTS AND RESPONSIBILITIES OF THE PARTICIPATING STATES OR THE CORRESPONDING BILATERAL OR MULTILATERAL TREATIES, AGREEMENTS, AND ARRANGEMENTS, IN ACCORDANCE WITH INTERNATIONAL LAW, WHICH HAVE BEEN ENTERED INTO BY THE PARTICIPATING STATES OR WHICH CONCERN THEM." REQUEST GUIDANCE ON THIS TEXT.

2. ACCORDING FRENCH DELOFF, SAUVAGNARGUES CONVEYED TO GENSCHER CHANGES IN SOVIET PROPOSED LANGUAGE ON THIS SUBJECT WHICH SOVIET AMBASSADOR MENDELEVICH HERE HAD CONFIDENTIAL

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SUGGESTED, ON PURELY PERSONAL BASIS, MIGHT BE ACCEPTABLE

TO MOSCOW. SOVIET TEXT (BONN 17015 READS AS FOLLOWS:

"THE PARTICIPATING STATES NOTE THAT THE PRESENT (DOCUMENT) CANNOT AND WILL NOT AFFECT THE BILATERAL AND MULTILATERAL TREATIES AND AGREEMENTS, AS WELL AS THE ARRANGEMENTS IN CONFORMITY WITH INTERNATIONAL LAW PREVIOUSLY CONCLUDED BY THEM OR WHICH CONCERN THEM, AND THE RIGHTS AND OBLIGATIONS OF THE PARTICIPATING STATES STEMMING FROM THESE DOCUMENTS."

3. MENDELEVICH THOUGHT SOVIETS COULD TAKE "RESPONSIBILITIES" IN PLACE OF WORD "OBLIGATIONS", TO WHICH FRG OBJECTED. IN PHRASE "RIGHTS...STEMMING FROM THESE DOCUMENTS", MENDELEVICH SUGGESTED MORE AMBIGUOUS VERBS COULD BE USED, SUCH AS "INSCRIBED" OR "REFLECTED". GENSCHER TOLD SAUVAGNARGUES THAT FRG COULD ACCEPT "RESPONSIBILITIES " VICE "OBLIGATIONS". WITH RESPECT TO MENDELEVICH'S OTHER SUGGESTIONS, GENSCHER REPORTEDLY SAID HE DID NOT WISH TO EXPERIMENT WITH NEW LANGUAGE ON QRR AND PREFERRED TO DEVELOP TEXT BASED ON NOVEMBER 1972 QUADRIPARTITE DECLARATION. FOLLOWING THIS EXCHANGE, QUAI DREW UP TEXT CITED ABOVE. FRENCH DEL HERE WOULD LIKE TO HAVE OUR REACTION TO IT IN THE NEAR FUTURE. DALE

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